

COPY OF PAPERS  
ORIGINALLY FILED

6/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Babich et al.

Application No: 10/077,475

Filed: February 15, 2002

For: *Matrices for drug delivery and  
methods for making and using the  
same*

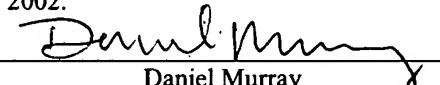
Examiner: To be determined

Group Art Unit: 1652

Attorney Ref. No: BSA-007.02

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on May 14, 2002.

  
Daniel Murray

RECEIVED

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97 (b)

JUN 10 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants and/or their attorney in compliance with the requirements of 37 CFR § 1.56. Copies of the references which were submitted in, or cited by the Examiner in, parent application USSN 09/503,438, to which this application claims priority, are not being submitted herewith as permitted pursuant to 37 CFR § 1.97(d).

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced documents be applied against the claims of the present application.

No additional costs are believed to be due in connection with the filing of this disclosure. If, however, a First Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fees as required under 37 C.F.R. § 1.17(p) to our **Deposit Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Date: May 14, 2002

**Customer No. 25181**  
Patent Group  
Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109-2170

Respectfully Submitted,

Jennifer A. Zarutskie, Ph.D.  
Reg. No. 50,558  
Agent for Applicant